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Via E-Filing Only

District Judge Phyllis J. Hamilton
Oakland Courthouse, Courtroom 3- 3rd Floor
1301 Clay Street
Oakland, CA 94612

Re: Robert and Nancy Boné v. Wells Fargo, et, al
USDC Case No.: 4:10-CV-02011-PJH
Withdrawal of Motion to Dismiss FAC and Motion to Strike Portions of FAC

Dear Judge Hamilton:

Defendants Wells Fargo Home Mortgage, a division of Wells Fargo Bank, N.A., successor by merger to Wells Fargo Home Mortgage, Inc. ("WFHM") and Bank of America, N.A. ("BofA") filed a Motion to Dismiss Plaintiffs' First Amended Complaint and Motion to Strike Portions of the First Amended Complaint (the "Motion") which is set for hearing on Wednesday June 1, 2011.

The parties have reached a tentative settlement and are in the final stages of resolving this matter. As a result, Defendants WFHM and BofA hereby withdraw their Motion and respectfully request that the hearing on the Motion, set for Wednesday, June 1, 2011, be taken off calendar.

Very truly yours,

/s/ Edward R. Buell III

Edward R. Buell III

ERB/kmd

cc: David Sturgeon-Garcia, via Electronic Filing only

